
TITLE 920 INDIANA WAR MEMORIALS COMMISSION

Proposed Rule
LSA Document #23-73

DIGEST

Adds [920 IAC 2](#) concerning the functions of the executive director and general facilities management. Adds [920 IAC 3](#) to add definitions, identify prohibited activities, and establish hours of operation for the Indiana War Memorial Plaza Historic District. Repeals [920 IAC 1](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[920 IAC 1](#); [920 IAC 2](#); [920 IAC 3](#)

SECTION 1. [920 IAC 2](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 2. GENERAL PROVISIONS

Rule 1. Role of the Executive Director; Use of World War Memorial Facilities; Limitations on Structures and Real Estate Within 300 Feet of World War Memorial

[920 IAC 2-1-1](#) Executive director of the Indiana war memorials

Authority: [IC 10-18-1-9](#); [IC 10-18-1-10](#)

Affected: [IC 10-18-1-9](#)

Sec. 1. (a) For purposes of this rule, the superintendent referred to in [IC 10-18-1-9](#) shall be referred to as the executive director of the Indiana war memorials.

(b) The executive director shall perform the following responsibilities on behalf of the commission:

(1) General day-to-day administrative management of the property, facilities, and infrastructure that constitute the district.

(2) Approve contracts and purchases.

(3) Coordinate with local (county and city) public officials, police, fire, and emergency services, and public works staff of this state, Marion County, or the city of Indianapolis.

(4) Day-to-day personnel management of the Indiana war memorials workforce, including full-time and part-time employees, contractors, and volunteers, and coordination with the Indiana department of correction (IDOC) staff regarding IDOC-provided inmate labor forces.

(5) Coordinate with agency personnel of this state, the office of the governor, and other statewide elected officials and members of the general assembly.

(6) Represent the commission on various boards, committees, and councils related to commission properties or activities.

(7) Serve as a standing member of the event advisory board.

(Indiana War Memorials Commission; [920 IAC 2-1-1](#))

[920 IAC 2-1-2](#) Use of auditorium and meeting rooms

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 2. Public use of the auditorium and meeting rooms is permissible under an executed facility usage agreement for the following purposes:

(1) Meetings of organizations of veterans or members of the armed forces of the United States. These meetings shall have preference in the use of the auditorium and other facilities of the memorial buildings.

(2) Meetings for purposes of public interest that conform to law and this article.

(Indiana War Memorials Commission; [920 IAC 2-1-2](#))

[920 IAC 2-1-3](#) Admission charges and solicitation by users prohibited

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 3. No admission fee shall be charged, and no solicitation shall be made by those who use the auditorium, meeting rooms, or other facilities unless approved by the commission. At no time shall there be a sale of admission tickets to the memorial buildings or the memorial facilities by organizations or individuals that use the memorial buildings or facilities. This provision does not apply to events hosted or conducted directly by the commission.

(Indiana War Memorials Commission; [920 IAC 2-1-3](#))

[920 IAC 2-1-4](#) Donations, gifts, or contributions; use of; approval

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 4. (a) The executive director may accept donations to defray maintenance costs from persons or organizations using the auditorium or other facilities of the memorial. Donations of this nature shall be immediately transferred to the Indiana War Memorials Foundation for management and accounting.

(b) The executive director may accept donations, artifacts, gifts, and other contributions of a nonfiduciary nature in the name of the commission. The acceptance of these items requires approval by the executive director. The executive director may use a donation, gift, or other contribution according to the established needs or specific direction of the commission.

(c) No benefit shall be received, and no work performed in relation to a donation, gift, or other contribution until the executive director has given formal approval.

(d) Prior to formal approval, it is prohibited for a donor to cause a third party to perform work or services on commission facilities or grounds.

(Indiana War Memorials Commission; [920 IAC 2-1-4](#))

[920 IAC 2-1-5](#) Denial of requests

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 5. (a) Requests for use of the property, buildings, or facilities may be denied if, in the opinion of the executive director, the requested use can be reasonably expected to incite violence, subject the memorial buildings, facilities, personnel, or guests to unnecessary harm, or cause damage to the facilities.

(b) Requests may also be denied if, in the opinion of the executive director, the requested use places an unreasonable burden on the staff of the memorial or the capitol police.

(c) Since the purpose of the memorial spaces is to honor the solemn sacrifices that our men and women in uniform have made in the name of freedom, requests for use of the indoor spaces, including the auditorium and meeting rooms, may be denied if, in the opinion of the executive director, the requested use would reflect poorly on the reputation or integrity of veterans, the military, the armed forces of the United States, or the state of Indiana.

(d) Denials of requests shall be provided to the requesting party, in writing, within five (5) business

days of the denial determination. A written denial shall clearly state the cause for denial of the permit.

(Indiana War Memorials Commission; [920 IAC 2-1-5](#))

[920 IAC 2-1-6](#) Termination of facility usage agreement; notice

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 6. A facility usage agreement shall be executed upon the understanding that it may be terminated by the executive director if it is discovered that the intended use would violate any of the provisions described in section 5 of this rule or any other commission policy, local ordinance, state or federal law, and upon written notification of the organization or persons with whom the agreement was executed. A notification shall clearly state the cause for termination of the agreement and shall be provided to the organization or persons to whom the agreement was executed within twenty-four (24) hours of determining that the agreement should be terminated.

(Indiana War Memorials Commission; [920 IAC 2-1-6](#))

[920 IAC 2-1-7](#) Preferred use of facilities

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 7. In the event of a conflict regarding event times, preference in the use of the memorial facilities shall be given to veterans or military users on a first-come, first-served basis.

(Indiana War Memorials Commission; [920 IAC 2-1-7](#))

[920 IAC 2-1-8](#) Display of flag; opening ceremonies

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 8. The flag of the United States shall be in prominent view and in a respected position during all activities. It is desired that the national anthem or Pledge of Allegiance, or both, shall be included in the opening ceremonies of activities conducted in rooms where the flag is displayed.

(Indiana War Memorials Commission; [920 IAC 2-1-8](#))

[920 IAC 2-1-9](#) Elevator fee

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 9. Nominal charge for the use of the elevator in the Soldiers' and Sailors' Monument to the observation deck shall be determined by the commission from time to time, and the charge shall be duly posted. Additionally, the commission shall cause a notice to be posted permitting patrons to utilize the stairs instead of paying the elevator use fee.

(Indiana War Memorials Commission; [920 IAC 2-1-9](#))

[920 IAC 2-1-10](#) Review of proposals for construction and use of real property near the Indiana War Memorial Plaza Historic District

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1-18](#)

Sec. 10. In conjunction with the provisions of [IC 10-18-1-18](#), a person, a firm, a corporation, a partnership, or an association that:

- (1) owns or intends to own, erect, or remodel buildings or grounds;
- (2) displays signs or advertisements upon;
- (3) leases;
- (4) occupies; or
- (5) uses:
 - (A) the grounds;
 - (B) real estate;
 - (C) a building; or
 - (D) a structure;

within three hundred (300) feet of the outside boundaries of the district, shall, before leasing, using, occupying, or constructing upon the real estate, submit plans, drawings, models, or concepts for a project to the commission for its review. The commission may then elect, within its own discretion, to avail itself of the legal remedies given by [IC 10-18-1-18](#) if the commission determines that the continuation of the proposal or project represents a genuine and material detriment to the district, its facilities, or its properties.

(Indiana War Memorials Commission; [920 IAC 2-1-10](#))

[920 IAC 2-1-11](#) Action on a proposal for use or construction

Authority: [IC 10-18-1-18](#)

Affected: [IC 10-18-1](#)

Sec. 11. Upon receipt of a proposal and plans, the commission shall consider and determine whether the proposed lease, construction, remodeling, occupancy, or use falls within the contemplated barrier established in [IC 10-18-1](#). If the commission determines that the project does fall within the established barrier, the commission will then consider whether the proposed project will appropriately honor Hoosier veterans and conform to the harmonious and unified architectural and aesthetic effect of the entire grounds used and dedicated for the Indiana war memorials commission, and the purposes of this state in establishing the memorials. The commission shall inform the requesting party of its determination not less than ninety (90) days of receipt of the formal proposal, specifically citing whether the commission intends to invoke the legal remedies provided under [IC 10-18-1](#).

(Indiana War Memorials Commission; [920 IAC 2-1-11](#))

SECTION 2. [920 IAC 3](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 3. DISTRICT OPERATIONS

Rule 1. Definitions

[920 IAC 3-1-1](#) Applicability

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 1. The definitions in this rule apply throughout this title.

(Indiana War Memorials Commission; [920 IAC 3-1-1](#))

[920 IAC 3-1-2](#) "Authorized private event" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 2. "Authorized private event" means a gathering, not open to the public, whose facility usage agreement has been approved by the executive director.

(Indiana War Memorials Commission; [920 IAC 3-1-2](#))

[920 IAC 3-1-3](#) "Authorized public event" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 3. "Authorized public event" means a concert or other function, whether with ticketed or free admission, that is open to the public, occurring on the district or in a district facility under a facility usage agreement that has been approved by the executive director.

(Indiana War Memorials Commission; [920 IAC 3-1-3](#))

[920 IAC 3-1-4](#) "Commission" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 4. "Commission" refers to the Indiana war memorials commission established under [IC 10-18-1-2](#).

(Indiana War Memorials Commission; [920 IAC 3-1-4](#))

[920 IAC 3-1-5](#) "Consumer firework" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#); [IC 22-11-14-1](#)

Sec. 5. "Consumer firework" has the meaning set forth in [IC 22-11-14-1](#).

(Indiana War Memorials Commission; [920 IAC 3-1-5](#))

[920 IAC 3-1-6](#) "Deadly weapon" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#); [IC 35-47-1-5](#)

Sec. 6. "Deadly weapon" means a loaded or unloaded firearm as defined in [IC 35-47-1-5](#).

(Indiana War Memorials Commission; [920 IAC 3-1-6](#))

[920 IAC 3-1-7](#) "District" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 7. "District" refers to the Indiana War Memorial Plaza Historic District.

(Indiana War Memorials Commission; [920 IAC 3-1-7](#))

[920 IAC 3-1-8](#) "Event advisory board" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 8. "Event advisory board" means a board established by the city of Indianapolis for purposes of providing management, guidance, and oversight to entities hosting or participating in both public and private events within the city of Indianapolis. The board is comprised of representatives from the Indianapolis metropolitan police department, the Indianapolis fire department, the Indianapolis department of public works, appropriate medical and health officials, and a representative from the commission.

(Indiana War Memorials Commission; [920 IAC 3-1-8](#))

[920 IAC 3-1-9](#) "Facility usage agreement" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 9. "Facility usage agreement" means an agreement utilized by the commission for purposes of establishing legal and logistical parameters of a public person or entity's use of any part of the district grounds, facilities, or buildings.

(Indiana War Memorials Commission; [920 IAC 3-1-9](#))

[920 IAC 3-1-10](#) "Firework" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#); [IC 22-11-14-1](#)

Sec. 10. "Firework" has the meaning set forth in [IC 22-11-14-1](#).

(Indiana War Memorials Commission; [920 IAC 3-1-10](#))

[920 IAC 3-1-11](#) "Horse-drawn carriage" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 11. "Horse-drawn carriage" means a conveyance that utilizes an equine animal, or the equivalent, as its primary means of propulsion or is otherwise towed by an equine animal, or the equivalent.

(Indiana War Memorials Commission; [920 IAC 3-1-11](#))

[920 IAC 3-1-12](#) "Indiana War Memorial Plaza Historic District" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 12. "Indiana War Memorial Plaza Historic District" means, for purposes of this article, the real property, structures, improvements, and fixtures held by the commission in the name of the state, and commonly known under the following names and at the following generally described locations:

- (1) The Indiana War Memorial.
- (2) American Legion Mall.
- (3) Veterans Memorial Plaza.
- (4) Indiana 9/11 Memorial.
- (5) Medal of Honor Memorial.
- (6) Monument Circle (Soldiers' and Sailors' Monument).
- (7) USS Indianapolis CA 35 Memorial.
- (8) University Park.
- (9) The Indiana Gold Star Families Memorial.

(Indiana War Memorials Commission; [920 IAC 3-1-12](#))

[920 IAC 3-1-13](#) "Motorized vehicle" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 13. "Motorized vehicle" means a self-propelled conveyance with a wheel or wheels and a means of propulsion, including, but not limited to, motorbikes, all-terrain vehicles, golf carts, and motorized scooters. For purposes of this rule, the term does not include human-powered conveyances, such as bicycles, recumbent trikes, or handcycles.

(Indiana War Memorials Commission; [920 IAC 3-1-13](#))

[920 IAC 3-1-14](#) "Proper enforcement authority" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 14. "Proper enforcement authority" means any of the following:

- (1) An officer of the Indiana state police.
- (2) An officer of the capitol police.
- (3) A sworn in Indiana or federal law enforcement officer.
- (4) Security personnel hired by the commission, or event organizers, for the purpose of protecting its property interests or those of its tenants and guests, or for ensuring the safety of the public on the property.

(Indiana War Memorials Commission; [920 IAC 3-1-14](#))

[920 IAC 3-1-15](#) "Skateboard" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 15. "Skateboard" means a motorized or nonmotorized device consisting of two (2) or more wheels affixed to a platform or footboard upon which a rider stands, and that does not have steering capability similar to that of a bicycle or brakes that operate on or upon the wheels of the skateboard. It also includes devices generally or commonly recognized as a skateboard.

(Indiana War Memorials Commission; [920 IAC 3-1-15](#))

[920 IAC 3-1-16](#) "Skateboarding" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 16. "Skateboarding" means skateboard riding, including, but not limited to, standing with one (1) foot or both feet touching a skateboard, doing handstands with one (1) hand or both hands touching a skateboard, or sitting, crouching, or lying upon a skateboard while it is in motion.

(Indiana War Memorials Commission; [920 IAC 3-1-16](#))

[920 IAC 3-1-17](#) "Sponsor" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#)

Sec. 17. "Sponsor" means a promoter, organizer, or manager of an authorized public event or an authorized private event.

(Indiana War Memorials Commission; [920 IAC 3-1-17](#))

[920 IAC 3-1-18](#) "Trespasser" defined

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-6](#); [IC 10-18-1-19](#); [IC 10-18-1-28](#); [IC 35-43-2-2](#)

Sec. 18. "Trespasser" means a person committing criminal trespass under [IC 35-43-2-2](#).

(Indiana War Memorials Commission; [920 IAC 3-1-18](#))

Rule 2. General Applicability

920 IAC 3-2-1 Applicability

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1](#)

Sec. 1. This article applies to the district.

(Indiana War Memorials Commission; [920 IAC 3-2-1](#))

920 IAC 3-2-2 Signage

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-9](#), [IC 10-18-1-10](#); [IC 10-18-1-24](#)

Sec. 2. (a) The executive director may post signs upon district grounds or on district facilities, or both, as necessary to advise the general public of the provisions of this article.

(b) No signage is permitted on district grounds or facilities without the express consent of the executive director.

(Indiana War Memorials Commission; [920 IAC 3-2-2](#))

Rule 3. District Hours

920 IAC 3-3-1 District hours

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-10](#); [IC 10-18-1-25](#); [IC 10-18-1-28](#); [IC 35-43-2-2](#)

Sec. 1. The district is open to the public daily from 5 a.m. to 11 p.m. No person or persons shall be permitted to gather, congregate, or otherwise utilize district property or facilities between 11 p.m. and 5 a.m., except as provided under section 2 of this rule.

(Indiana War Memorials Commission; [920 IAC 3-3-1](#))

920 IAC 3-3-2 Exceptions; persons permitted to be in or on the district after hours

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-25](#); [IC 10-18-1-28](#); [IC 35-43-2-2](#)

Sec. 2. The following are excepted from the prohibition of being in or on the district between 11 p.m. and 5 a.m.:

(1) Persons traversing the district on its paved walkways for purposes of passing through or who otherwise maintain residences on property adjacent to the district.

(2) Employees, contractors, or other duly authorized agents of the following:

(A) The commission.

(B) A proper enforcement authority.

(C) Utility companies authorized to be in or on the district during the course of their business.

(D) Private companies, including concert promoters, authorized to be in or on the district for a specific purpose authorized by the executive director under a fully executed facility usage agreement.

(E) A federal, state, or local governmental entity authorized to be in or on the district for a specific purpose authorized by the executive director.

(3) The Soldiers' and Sailors' Monument and grounds, commonly referred to as Monument Circle, shall remain open to the public from 7 a.m. to 3 a.m.

(4) Access to the interior of Monument Circle, including the observation deck, may vary seasonably as determined by the executive director.

(Indiana War Memorials Commission; [920 IAC 3-3-2](#))

Rule 4. Deadly Weapons

[920 IAC 3-4-1](#) Persons permitted to carry deadly weapons

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-21](#); [IC 10-18-1-28](#); [IC 35-47-2-1](#)

Sec. 1. The following are permitted to carry deadly weapons (as defined in [920 IAC 3-1-6](#)) in or on the district except in those areas established and designated for purposes of authorized public or private events, subject to section 2 of this rule:

- (1) Proper enforcement authorities.
- (2) An employee of the commission.
- (3) An agent of the commission.
- (4) Members of the public.

(Indiana War Memorials Commission; [920 IAC 3-4-1](#))

[920 IAC 3-4-2](#) Deadly weapons prohibited at certain events

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-29](#)

Sec. 2. (a) A sponsor of an authorized public event or authorized private event may utilize screening and weapons detection at any point of entry into the event for identifying, screening, and prohibiting deadly weapons from being brought, or attempting to be brought, into the event. Screenings shall be managed at the sponsor's expense.

(b) Proper enforcement authorities who are on duty and who identify themselves to the sponsor's security personnel are not subject to a sponsor's screening or weapons detection procedures and shall not be denied access to a sponsor's authorized public event or authorized private event.

(Indiana War Memorials Commission; [920 IAC 3-4-2](#))

[920 IAC 3-4-3](#) Screening and weapons detection

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-10](#); [IC 10-18-1-21](#); [IC 10-18-1-28](#); [IC 10-18-1-29](#); [IC 35-43-2-2](#)

Sec. 3. (a) A person who refuses to comply with the sponsor's screening and weapons detection procedures or insists upon admittance to the event after being denied access as a result of the procedures may be denied access to the sponsor's designated event area at the discretion of the sponsor.

(b) Continued insistence on admission, harassment of the sponsor's patrons or guests, or efforts toward circumventing the sponsor's security measures may result in the sponsor's security contacting law enforcement.

(Indiana War Memorials Commission; [920 IAC 3-4-3](#))

Rule 5. Other Regulated Activities

[920 IAC 3-5-1](#) Prohibited activities

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-10](#); [IC 10-18-1-21](#); [IC 10-18-1-28](#); [IC 10-18-1-29](#); [IC 35-45-1](#); [IC 35-45-4](#)

Sec. 1. The following are prohibited in or on the district:

- (1) Skateboarding or rollerblading, except when transiting the district on its paved walkways, paths, or bikeways.
- (2) Biking or cycling, except when traversing the district on its paved walkways, paths, or bikeways.
- (3) Motorized vehicles. The following are not subject to this prohibition:
 - (A) Motorized vehicles owned or operated by the commission or its personnel or by a proper enforcement authority.
 - (B) Motorized wheelchairs or personal mobility devices when operated by a person with an appropriate disability or other medical condition.
- (4) Fireworks or consumer fireworks, unless authorized in writing by the commission.
- (5) Horse-drawn carriages on the district's grassy areas, paved walkways, paths, or bikeways.
- (6) Animals off a leash or on a leash over six (6) feet in length. The following are not subject to this prohibition:
 - (A) Service animals when utilized by a person with an appropriate disability or other medical condition.
 - (B) Horses utilized by proper enforcement authorities.
- (7) Use of the fountains for the purposes of swimming, showering, bathing, or other bodily functions.
- (8) Theft or malicious damage to the surface or structure of any part of the district.
- (9) Unauthorized entry, use, or occupancy of a facility.
- (10) Indecent acts under [IC 35-45-4](#).
- (11) Offenses against public order under [IC 35-45-1](#).
- (12) Other conduct that violates federal law, state law, or a municipal ordinance.

(Indiana War Memorials Commission; [920 IAC 3-5-1](#))

[920 IAC 3-5-2](#) Activities requiring written approval of the executive director

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-2](#); [IC 10-18-1-10](#); [IC 10-18-1-21](#); [IC 10-18-1-24](#); [IC 10-18-1-26](#); [IC 10-18-1-28](#)

Sec. 2. (a) The following require prior written approval from the executive director, which shall be given only for public or private events under fully executed facility usage agreements:

- (1) Signage, banners, or marketing materials affixed to any part of the district.
- (2) The use of grills, cookstoves, or any other use of fire or open flame.
- (3) The use of tents, enclosures, risers, staging, or other temporary structures.
- (4) The use of radio-controlled aircraft, including drones and other unmanned aerial systems.
- (5) The sale of alcohol.
- (6) The use of a newly seeded lawn.
- (7) Camping.
- (8) The use of loudspeakers, microphones, or other amplified sound devices.
- (9) Selling goods or services.
- (10) Attaching or affixing an object or item to district properties or buildings in a temporary nature and in a way that will not cause damage to the surface or structure of any part of the district.

(b) Persons organizing protests, rallies, or other public displays where participation exceeds, or is reasonably expected to exceed, twenty-five (25) persons are encouraged to provide the executive director at least forty-eight (48) hours advance notice of the event to properly de-conflict scheduling issues, notify staff and law enforcement for purposes of establishing appropriate safety protocols, and manage other logistical issues inherent in managing larger groups in a relatively limited space.

(Indiana War Memorials Commission; [920 IAC 3-5-2](#))

Rule 6. Enforcement and Ejection

[920 IAC 3-6-1](#) Enforcement and ejection

Authority: [IC 10-18-1-12](#); [IC 10-18-1-18](#); [IC 10-18-1-20](#)

Affected: [IC 10-18-1-25](#); [IC 10-18-1-28](#)

Sec. 1. (a) A person in or on the district in violation of this rule may be required to leave the district by a proper enforcement authority during the district's closed hours or for other violations of this rule.

(b) A person violating this rule may be considered a trespasser, as defined in [920 IAC 3-1-18](#), and subject to criminal prosecution.

(Indiana War Memorials Commission; [920 IAC 3-6-1](#))

SECTION 3. [920 IAC 1](#) IS REPEALED.

[Notice of Public Hearing](#)

Posted: 05/10/2023 by Legislative Services Agency
An [html](#) version of this document.